

HOUSE No. 755

By Mr. O’Flaherty of Chelsea, petition of Eugene L. O’Flaherty relative to the appointment of guardians ad litem by the Probate Court in contempt proceedings involving children. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE APPOINTMENT OF A GUARDIAN AD LITEM TO INSTITUTE CONTEMPT PROCEEDINGS INVOLVING THE CARE, CUSTODY OR MAINTENANCE OF MINOR CHILDREN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 215 of the General Laws, as appearing in the 1996
2 Official Edition, is hereby amended by striking section 56B and
3 inserting in place thereof the following section:—
4 Section 56B. Any judge of a probate and family court may
5 appoint a guardian ad litem to institute contempt proceedings
6 under the provisions of section thirty-four A against any party for
7 failure to obey judgements of the probate and family court
8 involving care, custody or maintenance of minor children, and
9 said guardian ad litem may personally serve throughout the com-
10 monwealth any summons or capias incidental to the enforcement
11 of this section. The compensation of such guardian ad litem
12 together with any expenses shall be determined by the court and
13 paid as it may order by the defendant or by the commonwealth,
14 upon certification by the judge to the state treasurer. The state
15 police, local police and probation officers shall assist the guardian
16 ad litem so appointed, upon his request.